

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

**RICHARD G. TATUM, individually and on)
behalf of a class of all other persons)
similarly situated,)**

Plaintiff,

v.

**R.J. REYNOLDS TOBACCO COMPANY,)
et al.)**

Defendants.

Civil Action No. 1:02 CV 00373

**SUGGESTION OF SUBSEQUENTLY
DECIDED AUTHORITY**

Plaintiff, pursuant to LR 7.3(i), and in support of his Opposition to Defendants' Motion to Decertify the Class, hereby submits the following subsequently decided authority, a copy of which is attached as Exhibit A: *Stanford v. Foamex*, --- F. Supp. 2d ---, No. 07-4225, 2009 WL 3075390 (E.D. Pa. Sept. 24, 2009).

This case is relevant to Plaintiff's Opposition to Defendants' Motion to Decertify the Class (Dkt #267) at 5-10, 12.

Dated: November 9, 2009

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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